

# **MINUTES OF A SPECIAL MEETING OF THE RESOURCE CONSERVATION COMMISSION**

**September 13, 2004**

City of Chula Vista Public Services Building  
Conference Rooms 2 & 3  
276 Fourth Avenue

**MEETING CALLED TO ORDER** by Chair Doug Reid at 4:02 p.m.

## **ROLL CALL/MOTION TO EXCUSE**

Commissioner Tracy Means was not excused.

**MEMBERS PRESENT:** Chair Doug Reid, Vice-Chair John Chávez, Commissioners Teresa Thomas, Juan Diaz, Stanley Jasek and Pamela Bensoussan

**STAFF PRESENT:** Marilyn Pongeggi, Environmental Review Coordinator  
Steve Power, Environmental Projects Manager  
Paul Hellman, Environmental Projects Manager  
Dave Kaplan, Transportation Engineer  
Eric Crockett, Redevelopment Projects Manager  
Linda Bond, Recording Secretary

**OTHERS PRESENT:** Karen Ruggels, David Evans & Associates  
Patricia Aguilar, 262 Second Avenue, Chula Vista  
Annona Franklin, 333 Roosevelt Street, Chula Vista  
Kevin O'Neill, 621 Del Mar Avenue, Chula Vista  
Lorna Barrett, 181 Halsey Street, Chula Vista  
Lupita Jimenez, 1134 Arbusto Corte, Chula Vista  
Earl Jentz, 397-A Third Avenue, Chula Vista

**APPROVAL OF MINUTES:** None.

**ORAL COMMUNICATIONS:** None.

## **NEW BUSINESS**

### **1. EIR-04-05 – Española Draft EIR, North side of 'H' Street between Third and Fourth Avenues**

Chair Reid read an opening statement regarding the purpose and conduct of this meeting and the process for providing input on the adequacy of the Environmental Impact Report (EIR) for the Española project during this meeting as well as throughout the remainder of the CEQA process.

Steve Power (*Environmental Projects Manager*) presented an overview of the Española Draft Environmental Impact Report (EIR-04-05).

Staff Recommendation: That the RCC review the Draft EIR and recommend that the Planning Commission and City Council find that the EIR is adequate and complete and recommend that it be certified.

Mr. Power indicated that public comments will be considered by the RCC, but they will not be formally noted or transcribed. You need to go before the Planning Commission for that. Your comments at that point will be entered into the public record and responded to in the EIR. Public comments tonight would be to help the RCC focus their discussion.

Ms. Marilyn Pongeggi (*Environmental Review Coordinator*) stated that the RCC will be raising issues and, ultimately, formulating a final motion. Staff will not be responding to the questions that are raised this evening because the comments that the RCC make will become part of the final EIR. Staff will respond at that time.

Commissioner Thomas asked if the public comments would be a part of the minutes. Ms. Pongeggi indicated that, although verbatim public comments will not be included in the minutes, the minutes would contain brief summaries of the comments.

### Public Comments

Ms. Patricia Aguilar (*representing Crossroads II, 262 Second Avenue, Chula Vista, CA 91910*) distributed handouts prepared by Crossroads II, which included comments and a position paper. Ms. Aguilar stated that Crossroads II disagrees with staff's recommendation that this EIR is complete and adequate. She stated that, according to CEQA, if significant new information is available, it requires re-circulation of the affected portion(s) of an EIR. She stated that Crossroads II believes that the following sections should be revised and re-circulated:

- Hydrology/Drainage/Water – The EIR does not address whether or not the project would obstruct water flow between some lots. Crossroads II specifically pointed out this issue in a response to the NOP.
- Traffic, Circulation and Access – Parking is definitely an issue and yet the EIR concludes, without analysis, that the project will not have any adverse parking impact.
- Population and Housing – The school section of this EIR should conclude that there is a significant unmitigated impact on affected schools.
- Alternatives – The project is being submitted prematurely because the Urban Core Specific Plan is not done. Since there are unmitigated significant environmental impacts identified in the EIR associated with this project, the reduced density alternative should be accepted instead of the proposed project.

Ms. Annona Franklin (*333 Roosevelt Street, Chula Vista, CA 91910*) submitted a 'speaker slip' but did not address the RCC.

Mr. Kevin O'Neill (*621 Del Mar Avenue, Chula Vista, CA 91910*) stated that he is the property owner of 372, 377 and 381 Roosevelt Street and that he has three problems with the project as presented.

- The shadow study shows that the height of the towers would absolutely take away his access to solar.
- The mitigation for traffic on Roosevelt just does not work. He stated that he is absolutely, categorically against Roosevelt being used as a driveway for a mega project that has an address on 'H' Street; it is poor planning, and it is ~~imminently~~ eminently unfair to the residents of Roosevelt.

- The towers can be reduced to 6-, 8- or 10-story and still have the same number of units, which would be more in keeping with Chula Vista's building scale. He is not against residences in this location, but feels that the proposed project is out of scale with surrounding development and, therefore, should be redesigned.

Mr. O'Neill indicated that the City has grand plans for redevelopment of Third Avenue and Broadway and that, if this project does not go well, it will taint everything the City wants to do in these areas, and the public will lose any confidence that they have in the potential for successful redevelopment efforts.

Ms. Lorna Barrett (*181 Halsey Street, Chula Vista, CA 91910*) asked if any type of greenbelt would be provided around the project since no landscaping is shown. If we are going to continue to develop, maybe we should ask for some give back to the environment. She stated that she is against the proposed height because it is very out of proportion to the design of the City. She also stated that she is very concerned with the traffic impacts of the project.

Ms. Lupita Jimenez (*1134 Arbusto Corte, Chula Vista, CA 91910*) stated that she was glad that the issue of environmental sustainability had been brought up. Here you have a chance to show some concern. She stated that the buildings should be built in a sustainable, energy efficient manner; that they should be oriented properly to the sun; that the right type of ventilation and heating should be used; that sufficient landscaping should be provided. She stated that she did not see any of those issues addressed in the EIR.

Mr. Earl Jentz (*397-A Third Avenue, Chula Vista, CA 91910*) stated that he owns property at 358 and 360 Roosevelt. He recommended that the Commission find that the EIR is not complete. An attorney wrote a letter about the drainage, which was not addressed in the EIR. He offered that there be more information on the shadow analysis. He could not tell from the EIR the height of the parking structure and the resultant shading impacts. He stated that there is currently a problem turning left from of Roosevelt onto northbound Third Avenue and turning left from Roosevelt onto southbound Fourth Avenue and that creating a lane would not help the extra vehicles generated by this project to make these turns onto Third Avenue and Fourth Avenue. He thought, perhaps, a traffic light at one or both of those intersections should be considered. Regarding the scale of the project, he did not think the lower density alternative had been given a chance and recommended that the reduced density alternative be considered.

#### Commission Comments

The Commissioners asked questions and made comments. Mr. Paul Hellman (*Environmental Projects Manager*) recorded Commission comments for use by the Commissioners in formulating a motion.

**MSC** (Chávez/Thomas) that the RCC recommends the EIR not be certified due to non-conformance with CEQA including unmitigated significant impacts on traffic and visual/aesthetics, and that the reduced density alternative with mid-rise development (i.e., 7-story maximum) be adopted and analyzed as the preferred alternative. **Vote:** (4-2-0-1) with Reid and Jasek opposed and Means absent.

Chair Reid voted against the motion because the EIR does identify the significant impacts of the project as required pursuant to CEQA and because it is the role of the decision-makers to decide whether or not to approve the project given those significant impacts.

Commissioner Jasek voted against the motion because it addresses issues beyond the Commission's purview.

**MSC** (Bensoussan/Reid) that the RCC recommend that this EIR be coordinated with the Urban Core Specific Plan because the Commission recognizes that this project might be ill timed and premature relative to the preparation of the Urban Core Specific Plan that is in process.

**An addition to the motion** was made by Vice-Chair Chávez that the Chair, Vice-Chair or designee voice the RCC's concerns at all public hearings on this EIR. **The maker and second of the motion accepted the addition.**

**Vote:** (6-0-0-1) with Means absent.

**ENVIRONMENTAL REVIEW COORDINATOR COMMENTS:** Ms. Pongeggi informed the Commissioners that their next regular meeting of September 20, 2004 would probably be cancelled due to a lack of agenda items.

**CHAIR COMMENTS:** None.

**COMMISSIONER COMMENTS:** None.

**ADJOURNMENT:** Chair Reid adjourned the meeting at 5:55 p.m. to a regular meeting on Monday, September 20, 2004, at 6:00 p.m. in the Ken Lee Building Conference Room, 430 "F" Street, Chula Vista, CA 91910.

Prepared by:

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Linda Bond, Recording Secretary